



FILED

08-22-06
08:00 AM

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Implement the Commission's Procurement Incentive Framework and to Examine the Integration of Greenhouse Gas Emissions Standards into Procurement Policies.

Rulemaking 06-04-009
(Filed April 13, 2006)

**ADMINISTRATIVE LAW JUDGE'S RULING REGARDING WORKSHOP
REPORT AND MOTIONS TO INTERVENE**

Comments on Workshop Report

On August 21, 2006, Commission Workshop Staff issued a workshop report entitled "Draft Interim Emissions Performance Standard Program Framework" (workshop report). This workshop report is posted on the Commission's website at

<http://www.cpuc.ca.gov/static/energy/electric/climate+change/>. This workshop report is also attached to this ruling and made part of the record.

As indicated in the June 1, 2006 Scoping Memo setting the Phase 1 schedule, opening comments on the workshop report shall be filed by September 1, 2006, and reply comments by September 12, 2006.

In their comments, parties should discuss their views on the updated staff proposal, and arguments shall be supported with specific examples where possible. To the extent possible, parties should include an evaluation of costs and benefits associated with the proposed program and with any proposed

modifications. Parties should not repeat comments or previous arguments submitted in this phase of the proceeding.

Motions to Intervene

On July 26, 2006 and August 4, 2006, the California Cogeneration Council and Mirant California, LLC, Mirant Delta, LLC and Mirant Potrero, LLC respectively filed motions to intervene in this proceeding. Pursuant to Rule 53 of the Commission's Rules of Practice and Procedure, these motions are granted to the extent intervenors do not unduly broaden the issues in this proceeding.

IT IS RULED that:

1. The workshop report described in and attached to this ruling is made part of the record in this rulemaking. Parties shall file opening comments to the workshop report by September 1, 2006 and reply comments by September 12, 2006.

2. The California Cogeneration Council and Mirant California, LLC, Mirant Delta, LLC and Mirant Potrero, LLC's (Mirant) respective petitions to intervene in this rulemaking are granted to the extent intervenors do not unduly broaden the issues in this proceeding. The Commission's Process Office shall add the following intervenors to the service list of this proceeding:

For Mirant:

Kerry Hattevik
Senior Regulatory Manager for the West
Mirant Corporation
696 West 10th Street
Pittsburg, CA 94565
Telephone: (925) 427-3482
Facsimile: (925) 427-3535
Kerry.hattevik@mirant.com

Lisa A. Cottle
Karen E. Bowen
Winston & Strawn LLP
101 California Street, 39th Floor
San Francisco, CA 94111
Telephone: (415) 591-1100
Facsimile: (415) 591-1400
lcottle@winston.com
kbowen@winston.com

For the California Cogeneration Council

R. Thomas Beach
2560 Ninth Street, Suite 213A
Berkeley, CA 94710
Telephone: (510) 549-6922
Facsimile: (510) 649-9793
tomb@crossborderenergy.com

Joseph M. Karp
Winston & Strawn LLP
101 California Street, 39th Floor
San Francisco, CA 94111
Telephone: (415) 591-1529
Facsimile: (415) 591-1400
jkarp@winston.com

Dated August 22, 2006, at San Francisco, California.

/s/ JONATHAN LAKRITZ
Jonathan D. Lakritz
Administrative Law Judge

INFORMATION REGARDING SERVICE

I have provided notification of filing to the electronic mail addresses on the attached service list.

Upon confirmation of this document's acceptance for filing, I will cause a copy of the Notice of Availability to be served upon the service list to this proceeding by U.S. mail. The service list I will use to serve the copy of the Notice of Availability is correct as of today's date.

Dated August 22, 2006, at San Francisco, California.

/s/ JOYCE TOM

Joyce Tom

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.